

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**vs.**

**\$42,400.00 IN UNITED STATES  
CURRENCY,**

**Defendant.**

**8:15CV344**

**ORDER**

This matter comes before the court after a review of the court file and pursuant to NECivR 41.2, which states in pertinent part: "At any time, a case not being prosecuted with reasonable diligence may be dismissed for lack of prosecution."

In this case the complaint was filed on September 18, 2015. **See** Filing No. 1. On September 29, 2015, the plaintiff sought and received permission to service notice by publication. **See** Filing Nos. 6-7. Additionally, on December 23, 2015, the plaintiff filed notice of serving summons upon an individual. **See** Filing Nos. 3-4. The plaintiff has taken no other action. It remains the plaintiff's duty to go forward in prosecuting the case. The plaintiff may, for example, seek entry of default pursuant or voluntarily dismiss the action, as appropriate. Under the circumstances, the plaintiff must make a showing of good cause for failure to prosecute or the action must be dismissed. Accordingly,

**IT IS ORDERED:**

The plaintiff has until the close of business on **February 19, 2016**, to show cause why this case should not be dismissed for failure to prosecute or take some other appropriate action.

Dated this 8th day of February, 2016.

BY THE COURT:

s/ Thomas D. Thalken  
United States Magistrate Judge